ValpoScholar Valparaiso University Law Review

Volume 44 Number 4 Symposium on The Civil Rights of Public School Students

pp.1273-1274

Symposium on The Civil Rights of Public School Students

For Jack, Wonderful Wit and Wonder-Fully Open Mind

Bruce Berner

Follow this and additional works at: https://scholar.valpo.edu/vulr

Part of the Law Commons

Recommended Citation

Bruce Berner, For Jack, Wonderful Wit and Wonder-Fully Open Mind, 44 Val. U. L. Rev. 1273 (2010). Available at: https://scholar.valpo.edu/vulr/vol44/iss4/11

This Essay is brought to you for free and open access by the Valparaiso University Law School at ValpoScholar. It has been accepted for inclusion in Valparaiso University Law Review by an authorized administrator of ValpoScholar. For more information, please contact a ValpoScholar staff member at scholar@valpo.edu.



FOR JACK, WONDERFUL WIT AND WONDER-FULLY OPEN MIND

Bruce Berner*

Jack Hiller was for me a teacher, colleague, mentor, and friend. Let me share in this brief remembrance only two of the many interesting sides of Jack-humor and what I'll call his incredibly unusual "openness."

Let me cite two brief examples of his world-class humor. To lay the groundwork for the first, remember that Jack was highly cultured, had lived on at least five continents, spoke many languages fluently, and was a gourmet cook. One day for lunch in the 1970s, Jack, Al Meyer, Lou Bartelt, Dick Stevenson, and I were at a local restaurant and Jack asked the waitress, who was probably about 16, "What is the *soup du jour*?" The young lady smiled, put her hand on Jack's shoulder and said, "Oh, that means 'soup of the day' sir." Four of us hit the floor laughing. Jack, not missing a beat, said, "I should have known that. My family is Austrian." The waitress nodded all-knowingly.

Another example shows Jack's love for humor involving playing with language and his gentle and clever way of side stepping tough issues with colleagues. In the old Wesemann Hall, our offices were close and I would often hear the following: a colleague would enter Jack's office, plunk down a heavy manuscript of an article in progress (and one, by the way, which would be of interest to the author and perhaps two other living human beings) for Jack to read. As the colleague left the office, I could hear Jack say cheerfully, "Thanks. I'll waste no time reading this." Then I'd listen to how many steps our colleague would take before the steps stopped, indicating that Jack's *bon mot* had sunk in. (For those of you whose family is not Austrian, "*bon mot*" means "soup of the day." [I'm looking up because I can hear Jack laughing.])

Occasionally one would hear people gripe that Jack had changed his position on a subject, or lost his respect for a certain world leader, or favored someone for promotion whom he had previously opposed. The griping seemed to assume that there was an inconsistency or even a flightiness indicated by these changes. I never thought so. I thought instead that Jack was such an extraordinarily "open" individual to diverse cultures, unusual ideas, and odd methods, so grounded in endless study and scrutiny that he remained open to evidence even after he had formed a careful, reasoned opinion. It is the great lesson I learned from Jack.

1273

^{*} Louis and Anna Seegers Professor of Law, Valparaiso University School of Law.

1274 VALPARAISO UNIVERSITY LAW REVIEW [Vol. 44

The philosopher David Hume famously noted that humans generally do not start by observing evidence, but always by forming "frames" or "theories" into which they "fit" all the evidence they encounter. Have you noticed that two people with diametrically opposed political opinions will view the exact same event and interpret it precisely opposite of each other? They are protecting their "frames." Jack mostly didn't work that way. He stayed open to new evidence and if it meant he had to admit he had been wrong, so be it.

Staying open to new people, new ideas, new methods means, among other things, that one will never lose the wonder of living. Jack never lost it. He was a "wonder full" man. And funny. I'll waste no time forgetting him.